THE WEEKLY NATIONAL INTELLIGENCER

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THE SMITHSONIAN INSTITUTION.

Meeting of Regents of Smithsonian Institution. The Board of Regents of this Institution met at the room of the Vice President on Monday last, agreeably to adjournment. There was a general attendance of the members now in Washington, (Messrs. Choate and Hawley not having yet ar-

Mr. SEATON, on behalf of the Executive Committee, pre sented a report of the state of the funds of the institution From this report it appears that its financial affairs are in a very prosperous condition. At the time of the establishment of the institution, in addition to the original fund of \$515,169, there had accrued in the form of interest \$242,129; the latter sum the Regents were authorized by the act of Congress to expend for the erection of a building and for other purposes. They have, however, thus far encreached upon this sum only to the amount of about \$30,000; and it is confidently believed that, by adhering to the plan of finance adopted, at the end of three years (within which time the building is to be completed) there will be left at least \$150,000 of interest to be added to the original principal for other objects of the bequest.

General Torras, from the Building Committee, reported upon the progress of the Smithsonian edifice. From this it appears that the east wing will be finished by the first of January and the west wing early in the spring. The main part of the building has been commenced, and, from the results thus far, it is confidently expected that the building will be completed for the sum of \$205,000, appropriated by the Board for these purposes.

The Secretary, Professor HENRY, presented his report of

the operations of the past year, from which we glean the following particulars :

The programme of organization has been submitted to number of Literary and Scientific Societies, and has in every case received their approbation. The Officers of these institutions have expressed a willingness to co-operate with this institution in carrying out the plans which have been adopted. Until the end of three years from next March, only one half of the income of the original fund is to be appropriated to the active operations of the institution, the other part of the whole income to be devoted to the building fund; and therefore the institution cannot be put in full operation until after the end of the time above mentioned.

It will be recollected that the programme embraces, 1st, the plan of publishing original Memoirs on all branches of knowledge in a series of volumes; 2dly, the institution of original researches under the direction of suitable persons; 3dlv, the publication of a series of reports from year to year, giving an account of the progress of the different branches of knowledge; and, 4thly, the foundation of a library and a museum of ob jects of nature and art.

The first volume of the contributions has been published and partially distributed to colleges and learned societies. Before the types were distributed, the authors were permitted to strike off an edition for their own benefit, and it is this edition which is now offered for sale. Applications have been made for the first volume from many academies and minor institutions, and, were the means sufficient for the purpose, the institution would supply all demands; but, with its limited income, this is impossible. The periodical reports, however, being less expensive, will be much more widely distributed. Preparations have been made for the publication of the second moirs have been already accepted or are in preparation to supply the materials.

Under the second head is mentioned the publication of oc cultations for facilitating the determination of the longitude of important places, ordered at the last meeting of the Board. These have been so well received that another set has been prepared and is now ready for distribution for 1849 among all also been prepared and published of the planet Neptune. A beginning has been made towards establishing a system of Meteorological observations, ordered at the last meeting, the blank forms being now in the hands of the lithographer, and will shortly be ready to send to those who may be willing to join in the observations. Several sets of instruments have been sent to remote stations on the coast of the Pacific and in the interior of our continent, and investigations in reference to terrestrial magnetism have been instituted. Under the suspices of the institution an important literary enterprise has been commenced, viz. the preparation of a bibliographical account of all books relating to or published in America prior to the year 1700; the expense of preparation of this work being defrayed by the subscriptions of a number of institutions and individuals. This work will indicate the libraries in this country and Europe where the books are to be found. Instruments have been ordered for observations in astronomy, maggetiern, and other terrestrial phenomena, to be placed under the direction of Lieut. GILLISS, in his expedition to Chili. These, it is hoped, will be paid for by a further appropriation

by the General Government towards this object. tearn the following particulars. These reports are to be as ex- furnish the Street Commissioners with all necessary funds for tensively circulated as the funds of the institution will allow, and are intended to give an account of the progress of the dif- city as will render any epidemic which may visit us comparaferent branches of knowledge throughout the world. In many tively powerless. A member of the Board of Health informs cases the periodical reports will be preceded by preliminary us that the city at the present time is in a remarkably healthy reports on the previous state of the branch of knowledge to which the former pertain. A number of these are in process | which we have had for the last ten days. Not a single case of preparation, viz. one upon Chemistry, applied to Agricul- of Smallpox, or any disease recembling the Cholera, is to be ture; one upon the Forest Trees of America; one on the found within the limits of the city, and it is not apprehended, Phenomena of Lightning; one on the later discoveries in As- by those who ought to know, that there is any cause for alarm tronomy; and one on the practical use of Meteorological in- in regard to the healthiness of the city.

Appended to the Secretary's report is the report of the Assistant Secretary (Professor JEWETT) on the Library, an account of which we will give our readers in a future number. Professor Haway's report ends with an allosion to the mudonation of Dr. HARE, of Philadelphia, which has already been noticed in our columns.

OPINION ON THE EUROPEAN CONTINENT.

CORRESPONDENCE OF THE JOURNAL OF COMMERCE.

Paris, November 23, 1848. The Election Returns from the UNITED STATES have been hailed with great joy in England, but throughout the Conti-ment the election (now considered sure) of General Taylon is not pleasing to the people.

At this juncture all men are exalté in their political ideas;

At this juncture all men are exallé in their political ideas; they all are of the progressive democratic school, and do not relish any consorvative party, nor any man who is not inclined to follow the star of manifest destiny, no matter through what occans of blood or what scenes of anarchy it may lead him.

Besides, General Cass was thought to be favorable to France and continental Europe, and disposed to discriminate in their favor against England. The opinion is entertained here that he has a deep-rooted harted of England, a jealousy of her power, and a desire to diminish it; all of which feelings find a ready sympathy on the Continent. The Analysis of thirty paragraphs left N

MORNINGS IN THE NATIONAL INSTITUTE.

FIRST MORNING.

Having recently devoted an occasional hour to the exami ation of the Exploring Expedition curiosities in the Museum the National Institute, the idea has occurred to the write this that something might be done towards instructing and entertaining our readers by describing the various articles tha have attracted his attention. If an apology were necessary for writing upon this subject, the fact might be mentioned that the number of persons who annually visit the National Mu seum is estimated at seventy thousand; and besides, as there is no printed catalogue of this collection, (though a scientific one is in preparation,) our desultery remarks may be received as a sort of temporary substitute.

We would in the present paper direct attention to the glass cases numbered 1, 2, 3, and 4, which contain the various articles brought by the expedition under the command of Capt. WILKES from the Fejee Islands, the population of which umbers about 133,000 inhabitants.

And, first, as to their favorite implement of war, the Fejee club. The collection here brought together is quite com plote, consisting of the maloma, airon, toka, and ula. They vary in form and size, and, being made of brown ebony and ron-wood, and completely knotted, appear to be a terrible weapon indeed. Some of the specimens resemble the warclub of the American Indian, only that the former are finished with greater care and more extensively ornamented. When a Fejee warrior has taken the life of an enemy with his club, he does not, like the Pawnee Indian, take the scalp of the de-was made the special order. ceased and attach it to his girdle, but he extracts one of his handsomest teeth and sets it as a jewel in the head of his club; and, therefore, whenever you see a Fejee club ornamented with a dozen of these jewels, you may know that a dozen souls have been dispatched by it into the world to come. But this is not the only manner in which the Fejees proclaim and perpetuate their deeds of blood; for they have a fashion of making necklaces out of human teeth, which the young he roes of the nation are in the habit of presenting to their brides. From this fact we may conclude that the Fejee ladies are particularly partial to a "fine row of teeth." A number of these ornaments may be seen in the collection un-

Of Fejee Wigs, Combs, and Pins there are a number good specimens. The wigs are made of human wool, very black, and packed on to the skull to the thickness of several inches. The combs and pins are made of whalebone and cocoanut fibres. A Fejee barber is universally considered one of the great men of his nation, and it is often the case that a whole day will be employed upon the head of a single individual. In connexion with this subject we may mention he Fejee pillow, which is made of wood, (something like a rooden horse,) and employed to support the head when the proprieter thereof would like to rest himself without spoiling ne arrangement of his hair. It is an invention peculiar the Fejees, we believe, and is quite curious. Several specinens may be seen at the National Institute.

Shell Ornaments .- In this department of art the Feiers are well represented, and the conchologist will here find beautiful specimens of the pearl-shell and the orange courie, the latter being so rare that single shells have been known to sell for many hundred dollars.

Sea Slug.-This is the name of an article resembling blackened potate, which is exported from the Fejes Islands to China as a species of food, and considered by the Chinese a great delicacy. In looking at the article the wonder is how can the thing be musticated; and it is certain that none but a native of the Celestial Empire would have the hardihood to

Idols .- Of these there are three or four specimens, which are painted black, and particularly hideous.

Musical Instruments. - Flutes and pipes are here in abun ance : the former are constructed so as to be blown with the nose, and the latter, though exceedingly rude, bear a close esemblance to the pipes used by the shepherds of Scotland at

A Fejec Drum .- This instrument resembles more an Inbeating on the inner-side. It is about four feet long and two made. With the assistance of one of the clerks I examined in height, and is the last thing in the world that a man would the record on Saturday, and found that I did myself make the conclude to be a drum.

Fejce Pottery .- Of all the barbarians in the South Seas who are known to be acquainted with the manufacture of pottery, the Fejees are the most accomplished. The specimens brought home by the Expedition are quite numerous, and in texture and workmanship they are really beautiful. The

Mr. BERRIEN interposed here, and read from the Senate of a bin of this calculation. I merely state this without any feeling whatever.

Mr. BERRIEN interposed here, and read from the Senate of a bin of this calculation. I merely state this without any feeling whatever. reons interested in practical astronomy. An Ephemeris has drinking vessels are made with holes at the top, and, instead of placing them to the mouth, they are held suspended over the mouth, and the liquid poured down the throat. By this arrangement a number of persons can drink from the same diciary. This (he said) was in 1847.

vessel without any offence to the fastidious: for it must be Mr. DOUGLAS, Yes, sir; I admit that. But the bil vessel without any offence to the fastidious; for it must be mbered that the Fejees are quite as particular as they are outrageous and barbarous in their customs.

A Fejee Oracle.-This is an article made of a coconnut A Fejec Oracle.—This is an article made of a cocoanut the bill of 1848 for the admission of Wisconsin came ir shell, and covered by means of glue with a coating of scar- from the other House, it went to the Committee on Territo let seeds of the abrus species.

Fishing Nets .- Of these there are a great variety, and what renders them remarkable is the fact that, though made from the Hibiscus, they are as beautiful in texture as the the above may be found a variety of mats, fans, and aprons, which are all well worth examining on account of their curious mechanism.

HEALTH OF THE CITY.

At a meeting of the Board of Health held at the City Hall on Monday evening last, resolutions were adopted having for their object a thorough cleansing of the streets and alleys of Vith regard to the periodical reports to be published, we the city. They also recommend that the City Authorities shall bringing about such a reform in regard to the cleansing of the condition, notwithstanding the unnaturally warm weather

NATIONAL MONUMENT.

The work on the foundation of the Washington Nation Monument has been suspended for the winter. It is now about twenty-one feet from the foundation, (where it is eightyone feet square,) and fourteen feet above the surface; the whole of solid masonry, and presenting a mass of stone unequalled in this country. During the winter the marble, obtained from the quarries near Baltimore, will be dressed and prepared for setting early in the spring, when the work will be resumed, and the structure carried up as rapidly as possible. This megnificent monument will, when completed, be worthy of the illustrious patriot in whose honor it is to be erected, and highly creditable to the gratitude of the people by whose contributions it is to be reared. It is to be hoped that these contributions will be entirely adequate to so noble

6; England 2; Sweden 2; Switzerland 3; France 2; Americans 10. The expedition will cross from Chagres to Panama, and take a coaster from that port to San Francisco.

THIRTIETH CONGRESS. SECOND SESSION.

MONDAY, DECEMBER 18, 1848.

IN SENATE.

Mr. DOUGLAS, in pursuance of notice, asked and obtained leave to bring in a bill granting the right of way to the State of Illinois and a donation of public lauds for the purpose of constructing a railroad to connect the upper and lower Mississippi with the chain of takes at Chicago.

The bill having been read the first and second time by its title, was referred to the Committee on Public Lands, and ordered to be printed.

Mr. DOWNS, in pursuance of notice heretofore given,

selections of land in lieu of worthless school sections, or sec tions of inferior quality, and for other purposes; which was read the first and second times, and referred to the Committee

Mr. KING, in pursuance of notice heretofore given, asks and obtained leave to introduce a bill for the remission of duties on an equatorial telescope, contracted for in London by order of the trustees of the University of Alabama.

The bill baving been read the first and second time by title, was referred to the Committee on Finance.

THE EVERGLADES OF FLORIDA. On motion of Mr. WESTCOTT, the Senate took up the bill to authorize the draining of the everglades in the State of Florids, and to grant the same to the said State for that pur-

On motion of Mr. W., the further consideration of said

ADMISSION OF CALIFORNIA AS A STATE. Mr. DOUGLAS moved that the Senate take up the bill for the admission of California as a State into the Union, with a view to its reference; which motion having been agreed to, the bill was read a second time.

Mr. D. then moved that the bill, with the amendments sub-

equently offered by himself and printed, be referred to the

ommittee on Territories.

Mr. BERRIEN. The uniform practice of the Senate in sposing of a bill for the admission of a State is to refer it to the ommittee on the Judiciary. I was struck the other day with Committee on the Judiciary. I was struck the other day what the novel direction which it was proposed to give to this bill, and I have since requested one of the officers of the Senate to consult the Journal upon the subject. Upon looking at the Journal of the Senate I find that, on the 14th of February, 1845, the bill for the admission of Florida into the Union wa referred to the Committee on the Judiciary. On the 23d of December, 1846, the bill of the House of Representatives for the admission of Iowa into the Union was referred to the Comnittee on the Judiciary. On the 17th of February, 1847 the bill for the admission of Wisconsin was referred to the eason why the practice of the Senate should be departed from in this instance. Bills for the organization of territorial governments have been uniformly referred to the Committee or Territories, whilst those for the admission of States into the nion have been invariably referred to the Committee on the Indiciary. I do not see the chairman of the Committee on the Judiciary in his place, and suppose he is absent, or I should

we submitted this matter to him.

Mr. DOUGLAS. If it were the opinion of the Senate that States into the Union should go to the Committee on the Juparture from the regular practice of the Senate in behalf of his bill. I do think, however, that the Senator from Georgia (Mr. BERRIEN) has overlooked at least one instance which the Journal furnishes in regard to the reference of bills of this class. The history of the rule in regard to the reference of such bills, as I understand it, is this: For many years the Territorial Committee had no existence in the Senate esentatives long before the establishment of such a committee in the Senate, and in the other House it was the province of the Territorial Committee to take charge of all bills of this description. As far as I know, this practice has been uniform. But, there being no Territorial Committee in the Senate, the practice obtained of referring such bills to the Committee on tion of the rule in the Senate for the establishment of the Committee on Territories that the bill for the admission lowa (to which the Senator has alluded) was brought into the Senate. Last year a bill was passed for the admission of Win consin into the Union; and when that bill was under cons tice of the Senate. I moved its reference to the Committee of

report upon which that bill was considered and passed. I am therefore compelled to say that the practice to which the Se-nator from Georgia has referred was overruled, upon the last

Journal, 29th Congress, 2d session, p. 200, the proceedings by which the bill from the House of Representatives for the admission of Wisconsin was read the first and second time by unanimous consent, and referred to the Commttee on the Ju-

parrassment about this in the minds of Senators, and the Se cretary will bring in the record, it will be found that, when

from me other House, it went to the Committee on Territories, which afterwards reported upon it, and the bill passed.

Mr. JOHNSON, of Georgia. If I remember distinctly the proceedings in the case of the bill for the admission of Iowa, the point was this. It depended on the character of the question to arise out of the bill referred. The Senate distinguishment that making affecting the determine that matter affecting the organization of territorial governments should be referred to the Committee on Territories. But the bill now under consideration is for the admission of a State into the Union, which presents the question in a very different point of view. Such a bill involves the before a committee called upon to organize a territorial government. I consider it exceedingly proper that this bil should be referred to the Judiciary Committee, in accordance with the decisions and practice referred to by my honorable win the decisions and practice referred to by my honorable colleague, (Mr. Bernier,) The Senator from Illinois has only established the point that the Senate has determined that bills for the organization of territorial governments should go to the Territorial Committee; but where it is proposed to admit a State into the Union, the question assumes a different character, and should be referred to the Committee on the Judiciary. diciary. I consider it exceedingly proper that such bil should be so referred, in view of the peculiar character of th should be so referred, in view of the poculiar character of the questions which must arise upon their examination before the committee—questions respecting the nature and extent of the powers to be conferred. The admission of a State into the powers to be conferred. The admission of a State into the Union, it seems to me, involves the consideration of matters much more delicate and responsible than those which pertain to the organization of a territorial government. I am decidedly in favor of referring this bill to the Committee on the

Mr. BUTLER. As chairman of the Judiciary Committee it may be expected that I should say something on the sub-ject under discussion. The precedent referred to by the chair-man of the Committee on Territories (Mr. Douglas) was in reference to the admission of Wisconsin into the Union as a State. That bill was referred to the Committee on Territories, but under such circumstances as to give the preceden little authority. It is, by the acknowledgment of all, ries, but under such circumstances as to give the precedent little authority. It is, by the acknowledgment of all, a deviation from the uniform usages of this body. I was not present when this bill was passed into a law, and cannot speak of the discassion which may have taken place at the time. I recollect, however, that at the same time there was a bill for the organization of the territorial government of Minesota, and it was necessary to define the limits of the State before the boundaries of the Territory could be indicated. The matter involved in both these bills was so much alike as

The bill now under consideration is of a distinct character, and patriotic an object; and that for the credit of the American, people it will not be stopped for the want of funds to complete it. It is the greatest work of the age, and will be an eternal and stupendous monument of the gratitude and veneration of the people of the United States to the memory of their illustrious countryman.

W.

A party of thirty persons left New Orleans a few days ago, in the schooner Macon, for Chagres, on their way to California. The party is composed of persons belonging to the following different nations: Denmark 2; Ireland 3; Germany 6; England 2; Sweden 2; Switzerland 3; France 2; Ametican in the school of the state at the second investigation of the propriety of its being referred to the Committee on the Judiciary, it might be said that it involves grave questions of constitutional law, supposed to be complete it. It is the greatest work of the age, and will be an element of the propriety of its being referred to the Committee on the Judiciary, it might be said that it involves grave questions of constitutional law, supposed to be complete it. It is the greatest work of the age, and will be an element of the Judiciary, it might be said that it involves grave questions of constitutional law, supposed to be complete it. It is the greatest work of the age, and will be an element of the Judiciary, it might be said that it involves grave questions of constitutional law, supposed to be complete it. It is the greatest work of the age, and will be an illustration of the propriety of its being referred to the Committee on the Judiciary, it might be said that it involves grave questions of constitutional law, supposed to be complete in Law, supposed to be constitutional law, supposed to be complete in Law, supposed to be complete in Law, supposed to be complete in Law, suppo tion, and ought to go to a committee composed of lawyers.

Mr. YULEE. I have some recollection of the history of
the organization of the Committee on Territories in this body.

Mr. BALDWIN. It appears to me that the question now before the Senate is a very different question from any that

I was one of the delegates in the Florida Convention, and I very well recollect that the organization of the Territorial Committee was induced by the memorial transmitted to Congress from the delegates in that convention; and, by reference to that memorial, it will appear that our object in asking for the formation of that committee had reference to the business of our territorial organization. I recollect also that, after the organization of the Territorial Committee, the first question of the Territorial Committee, the first question that arese as to which was the proper committees to have the Lindiary Committee was the proper committee to the the Indiary Committee was the proper committee to the proper committee to the proceedings. The question of the Territory of New Mexico have already prized to the the proper committee was the proper committee or the proper committee for such a proposes to establish a State Government, but the proper committee for such a propose to the proper committee for such a reference, and I do not understand that since that formal decision was then formally decided by yeas and nays, that the Judiciary was the proper committee for such a reference; and I do not understand that since that formal decision was made there has been any departure from this practice—not even in the case referred to the torse of the propose of th

as an original question, the organization and establishment of the federal judicary of the State. That bill was conditional, the federal judicary of the State. That bill was conditional, to have effect if the people ratified the constitution formed by their State Covvention. The people rejected it, adopted a new constitution, and asked for admission under it. In 1847-'8 the only queston involved was principally of limits and bounnd therefore the bill was properly referred to the Committee on Teritories. This question was expressly decided by the Senat two years since, on a bill respecting Oregon Territory, and, if I am not mistaken, by yeas and nays. I Illinois (Mr. BREESE) to send the bill to the Judiciary Com-

mittee, which prevailed.

Mr. DOJGLAS. The Senator from Florida is in error a to these bils respecting Wisconsin. The bill of 1847-8 provided for the organization and establishment of the State federal judicity in Wiscopsin; and the same propriety existed, if

with respect to the first.

Mr. YULEE. Admitting that the chairman of the Com ittee on Territories is correct, it is but precedent against precedent; and I amagine that the question was not raised and seriously decided by the Senate in reference to the Wisconsin bill, butlt was raised and discussed, and finally decided upon the yeas and nays, by the Senate upon another bill. If we admit the antagonistic precedent, it is but precedent against preceden. And it does appear, to me more appropriate, according to the view taken by the two honorable Senators who are members of the Committee on the Judiciary, that the bill should go to that committee; and I shall certainly give my

for the yeas and nays.

Mr. DOUGLAS. In order to settle the question, I ask Mr. KING. I have not myself conceived it to be a matter primary importance whether the bill be referred to the Committee on Territories, or to the Committee on the Judiciary nor have I examined the organization of the Committee Territories, to ascertain whether the gentlemen composing are necessary to enable them to decide upon questions involving legal points, and particularly constitutional questions; and I am inclined to think that questions of this character will be raised by this bill. I think, therefore, it would be eminently can only state, in regard to the practice of the Senate, that during the twenty-five years that I have been conversant with during the wenty-ne year the proceedings of this body, I have not known an instance, and I believe the Senate will bear me out in saying that and I believe the Senate will bear me out in saying that there has not been an instance, in which a bill for the admis-sion of a State into the Union has not been referred to the Committee on the Judiciary. That has always been consid ered the appropriate committee to decide matters of this kind.

I am surprised to see a stroggle in regard to this reference. I am surprised to see gentlemen so anxious to send the bill to a committee to which it has not been usual to send bills of which is known to be especially qualified to decide upon the important matters contained in the bill should be precluded from taking cognizance of them. And I ask, why it is, when there has seen no case, except the isolated case mentioned by much anxety manifested? Will Senators tell me why it is? to him. of territor that was set apart for five States. And if this and with he assent and concurrence of the gentleman who is

the Judicary Committee, that it may innergo use the stinn of gotlemen of profound legal attainments.

Mr. DOUGLAS. I will simply remark to the Senator from Alabama that if he had looked into the journals of the Senate he would have found the reason why, in the course of Senate he would have found the reason why, in the course of the senate he would have found the reason why, in the course of the senate he would have found the reason why, in the course of the senate he would have found the reason why, in the course of the senate he would have found the sent to the Committee on Territories. The reason is this, there never was a committee on Territories in existence.

Mr. DOUGLAS. And never would have been but for that case; and the reason why references have since been made to the Committee on Territories is that there has been such commitaction of he committee in relation to the northwest territory. The Senator from Alabama says it would be wrong to send The Senior from Alabama says it would be wrong to seno the bill to the Committee on Territories, because he says that committee have violated their duty by making more than five States out of that territory. I wish the honorable gentleman had listened to the remarks of the Senator from Georgia, who told us that the measure came from the Judiciary Committee, and not from the Committee on Territories. It was by the bill as it came from the Judiciary Committee

that the territory was divided, and the Committee on Territo-ries, at the last session, only acted in deference to the Judiciary Committee, and howed to its decision. I hope, therefore, the honorable Senator will aim his shafts at the Judiciary Committee, and not at the Committee on Territories, and that he will speak understandingly in regard to the facts.

Mr. BRIGHT. White I stand opposed to every thing that is calculated to the every support to those territories during

is calculated to give governments to those territories during the present session of Congress, I shall nevertheless aim to give to every measure that is proposed its legitimate and proper reference; and it seems to me that the Committee on Territories is the proper committee to have cognizance of this subject. I must say that I should consider it very bad taste for this expiring Administration to undertake to establish governments over the territories. That is a matter which is bequesthed by the people to the new and incoming Administra-tion. I think the efforts made at the last session of Congress by the party now in power have been disapproved of by the American people, and that the result of the late election is virtually saying that they desire this vexed question to pass into other hands, and so far as I am concerned I shall aid in giving it that direction. There is but one question involved in it, and that is the geographical question which has been the cause of so much excitement in this country. How do we propose to settle it? Will the Judiciary Committee re-port a bill that we can all concur in? How is that committee composed? One of its members is a Senator from Louisiana, one from Georgia, another from Florida, and another from South Carolina. Will they report a bill that it is at all probable we can pass into a law ! I apprehend we have no right to expect any thing of the kind. The Committee on Territo expect any thing of the kind. The Committee on Territories is differently organized. The subject was before them
last session. They examined it in all its parts, and in a spirit
of compromise endeavored to dispose of the question so that
the country might be quieted. Organized as the committee
then was we failed. Is it reasonable, then, to suppose that
we can get a bill from the Judiciary Committee, organized as
it now is, that we can pass? I apprehend not. It appears
to me that the legitimate and proper committee to act upon
the subject is the Committee on Territories. Suppose the
chairman of the committee, instead of a bill to admit California
ns a State, had presented a bill to establish a territorisi government, would there have been any objection to referring it to
the Committee on Territories? I apprehend not. He has
merely changed the form of the bill without any change in
substance. I shall vote, therefore, for its reference to the
Committee on Territories.

proper committee for such a reference; and I do not understand that since that formal decision was made there has been any departure from this practice—not even in the case referred to by the Senator from Illinois, (Mr. Douglas,) which was explained by the chairman of the Committee on the Judiciary.

Mr. DOUGLAS. I do not say any thing of the former practice and decisions of the Senate. I have merely stated that the Secretary showed me in the Senate Journal, where the bill for the admission of Wisconsin was referred to the Territorial Government or not. Now this question of policy is a question, it appears to me, that is appropriate for the Committee on the Territorial Government or not. Now this question of policy is a question, it appears to me, that is appropriate for the Committee on the Territorial Government or not. Now this question of policy is a question, it appears to me, that is appropriate for the Committee on the Territorial Committee which require peculiarly the action of a committee; but, at all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they all events, the question is now pending before the Senate, upon the application of the people of New Mexico, whether they application of the committee on the Territorial Government or not. Now this question of people of N of such subjects, rather than of legal questions arising out of questions of policy that have been already settled and de-

ermined.

Mr. RUSK. I shall vote against the reference of this bill o the Committee on the Territories, and shall vote for its reference to the Committee on the Judiciary; and I shall do so without being influenced by any of those extraneous-cir-cumstances or considerations which have been brought to bear upon the question, and which have been urged here; for scription, with the exception of one, are in favor of referring them to the Committee on the Judiciary. If the precedents were equal, or if it were a new question, it seems to methere should be no difficulty or hesitation in determining to which committee the bill should be referred. But if precedents have any influence, we can have no hesitation, because the precedents in all cases of a similar nature, with but a single exception, have been on the side of a reference to the Judi-A proposition is here made to introduce a State into this

Union, the proposed State not having previously adopted a constitution for itself. We propose, or rather it is proposed by this bill, to admit a State, and leave it to the people of that State hereafter to form a State constitution conforming in all respects to the requirements of the constitution of the United States. This, it appears to me, is changing the entire order of things. Congress has heretofore required from a State applying for admission into the Union a State constitution, and they have carefully examined to see if that constitution conformed to the requirements of the constitution of the United States. This is a grave question; for this bill proposes to make the people of these territories an integral portion of the people of this country. The Senator who has just aken his seat draws an argument from the fact that New Mexico has petitioned Congress for a government, and with it has coupled a request that slavery shall be excluded from this petition as the foundation of an argument in favor of accompleted the examination, but as far as I have gone the facts in connexion with the so-called convention seemed to be these: About forty or fifty persons, who have followed our army into the Territory of New Mexico, are about all the Ame-These individuals, I understand, have had the principal management in getting up this petition, the object of which, with them, is twofold; in the first place, to wrest from Texas what is justly and legally and rightfully her due, that which unquestionally belongs to her, and which has not only been defined to be her property by her own law, but which has been so recognized by foreign Governments, and so recognized been so recognised by foreign Governments, and so recogn ed by the President of the United States and by the citiz of the United States. In order to effect this object, they thought it necessary to appeal to a strong and excited pa in Congress, and hence this petition setting forth that they desire to be freed from the institution of domestic slavery. Now, with regard to the population of New Mexico, I have some information. I know, from the experience that I have He has been acting there as alcalde. Now, the al-Sir, in the case to which the Senator has alluded, there was calde in Mexican jurisdiction has almost the entire control over matters of a judicial character. This individual left our army, and endeavored at the outset of his civic career to over a decision made by which they formed an additional State out but in this he was not altogether successful. I have some experience also in respect to popular conventions in that country; for I remember I came nigh getting into the calachairman of that committee now, I would hesitate long be-fore I would send another bill of a similar character to the ting them up is this. The chief officer of the district collects same committee. I am decidedly in favor of adhering to the uniform ractice of the Senate which has prevailed ever since the formsion of the Government, and of sending the bill to the Judicary Committee, that it may undergo the investigation of gentlemen of profound legal attainments.

The third of the unit of the unit of the principal citizens, and they hold what they call a "junta." I remember that in 1835, shortly after I went to Texas, being at Nacogdoches, I was called on to attend one of these "juntas" or conventions by the alcalde. Certain questions were laid before us, and we were invited to express our opinions upon them. I expressed mine very freely, and after the meeting was broken up the alcalde ordered me to be taken to the calaboose : and if there had not been more Americans present than Mexicans, I should have been imprisoned for the mere expression of my opinions. And this is the sort of men who are assuming to dictate to us! Has it come to this, who are assuming to decase us. It is not contained that, upon a question which has been sgitated since the formation of the Government, we must now be instructed by the people of New Mexico how we are to act? I regret that the uestion has been dragged into this debate; but, without re-erence to it at all, I shall vote for sending this bill to the Committee on the Judiciary, because I believe that it involves some very important legal questions, such as should be inves-tigated thoroughly before we act upon the bill.

Mr. BERRIEN. I desire merely, before the question is taken, that the Senate should understand what has been formerly done. The Committee on Territories was formed in 1844. The first question that occurred was in regard to the admission of Iowa and Florids, upon the motion of Mr. Evans, of Maine. The question was discussed whether the bill should be referred, not to the Committee on Territories, but to a select committee. Mr. Evans moved that the bill but to a select committee. Mr. Evans moved that the bill should be referred to a select committee; and, after discussion, it was determined by the Senate that it should be referred to the Committee on the Judiciary. Though the Committee on Territories was in existence, and though a proposition was made to abstract the bill from the Judiciary Committee, yet it was not thought proper by the Senate to do so. That was in 1845. In December, 1846, the bill for the admission of Iowa was read a first and second time and referred to the Committee on Territories had been in existence. In 1847 the bill for the admission of Wisconsin was read a first and second time and referred to the Committee on the Judiciary. This was the third reference after the Territorial Committee had been in existence. At the last session the bill for the admission been in existence. At the last session the bill for the admis-sion of Wisconsin was sent to the Committee on Territories. There is one instance, therefore, of a reference to the Terriorial Committee in opposition to three distinct references to

the Indiciary Committee Now, one word in reply to what was said by the chairman of the Committee on Territories, in answer to the remark of the Senator from Alabama, that there had been a violation of the Senator from Alsouma, that there had oeen a violation of the ordinance of 1787, by permitting a greater number of States to be formed out of the Northwest Territory than was provided for by that ordinance, and that this received the deliberate sanction of the Committee on the Judiciary. New, I beg to say that that was a bill passed by the House of Representatives, sent here, and referred to the Committee on the Judiciary, began the state of the Committee on the Judiciary, began the state of the Committee on the Judiciary, began the state of the Committee on the Judiciary began the state of the committee on the Judiciary began the state of the committee on the Judiciary began the state of the committee on the Judiciary began the state of the committee on the Judiciary began the state of the committee on the Judiciary began the state of the committee on the Judiciary began the committee on the Judiciary began the committee of the Committee on the Judiciary began the committee of the Committee on the Judiciary began the committee of the Committee on the Judiciary began the committee of the Committee on the Judiciary began the committee on the Judiciary began the committee on the Judiciary began the committee of the Committee on the Judiciary began the committee of the Committee on the Judiciary began the committee of the committee of the committee of the committee on the Judiciary began the committee of the co fore we knew that such a question was made. The Committee on the Judiciary reported back the bill without amendment, and without being aware, as far as I am informed, of Alabama. The Senate is now in possession of the facts, and it can determine whether it will adhere to its long-established

practice, or whether it will adhere to the isolated case referred to by the chairman of the Committee off Territories. Mr. President, I do not feel disposed to enter into the dis-Mr. President, I do not feel disposed to enter into the discussion of questions apart from the immediate question of researches, but I think there is no Senator who looks upon this bill with attention, and considers the extraordinary character of the measures which it proposes to adopt, and who reflects upon the important legal and constitutional questions necessarily involved in the discussion of the bill, who will hesitate to admit that there is a manifest propriety in referring it to the Committee on the Judiciary.

Mr. BENTON then said: Mr. President, the object of that bill has been very fully set forth by the petition of the memorialists, which was laid before the Senate several days since, and which has been printed by order of the Senate for the use of its members, and reprinted in the newspapers in this city and many newspapers throughout the country.

The object which the patition so fully and yet so briefly and clearly points out, needs nothing at all from me to enhance it in the estimation of this body or the country. It is vain, sir, for me to enlarge upon the subject. This great object, favored by all persons and circumstances and considerations, needs no commendation from me.

The bill, Mr. President, puts it into the hands of the Secre-

stood alone, sir, when it was proposed to take off part of the Territory of Wisconsin and give it to the Territory of Mine-sota, to be formed, hereafter, into a separate State. I am from that part of the country which has observed, so

far as I know, all the obligations of the ordinance of 1787, or any other constitutional obligation; but I then stood alone on this question, and I object now, most solemnly object, to your taking one inch of this territory from under the operation your taking one inch of this territory from under the operation of the ordinance of 1787. Sir, I stood alone in the committee, and four of its members were against me, and had I not been absent from my seat when the committee reported that bill, and it was passed into a law, you would have beard my voice in this chamber upon that very spect. And a state in relation to this matter show that the bill under consideration should be referred to the Committee on the Judiciary, and that under the circumstances it cannot be otherwise diversed of the circumstances it cannot be otherwise di

I cannot take my seat without making one remark in relaon Territories. I believe that he has acted in good faith, so far as concerns this question; and I do him but justice when I say that he has done all that he could do, considering his peculiar local position, to settle the question which has shaken our Union for many years past.

. But when my friend, the Senator from Indiana, chooses to

that a majority of its members—all but one—are from the South, I feel it incumbent on me to disclaim all intention or design of unfairness, on the part of myself or any other mem-bers of the committee, towards any section of the country, in the organization of that committee. That the committee is so constituted is an undoubted fact, but its constitution is purely constituted is an undoubted fact, but its constitution is purely accidental. When the committee was organized I was in favor of retaining a gentleman from the North, who was directly opposed to us, because he was a good lawyer, and I wanted the benefit of his counsel upon judicial matters, and I was not disposed to forego that benefit because he happened to be believe there has been no design in the organization of the Judiciary Committee, nor that any unfairness towards any section of this Union is to be apprehended from its organi-

It is a very strange proceeding, when we speak of organiz-ing a government for Californis, that the Federal Government in Congress assembled, in making the deed conferring the power of government upon her for the first time, shall be the creating and regulating power. This, sir, is established ing a precedent never known before. I have always understood, heretofore, that a State came here to ask admission in we are assuming the power of making the State—making the deed which is to confer the power of government, and giving it a certain character. This is establishing, as I have said, a precedent heretofore unknown in the history of the Federal

I have found myself, contrary to my intention and my rule, by no wish to draw invidious distinctions between the Comby no wish to draw invidious distinctions between the Committee on Territories and the Committee on the Judiciary. I stated the fact that I stood alone on the proposition to take a part of the Territory of Wisconsin and organize from it the Territory of Minesola, and gentlemen may look over the list and see who constituted that committee. I will repeat, that, had I been in the Senate when that bill was passed, you would

had I been in the Senate when that bill was passed, you would have heard my voice here as well as in the committee.

Mr. NILES, Mr. President, I agree with the Senator from Georgia (Mr. Bearten) that all bills for the admission of States into this Union always have been, and always ought to be, referred to the Committee on the Judiciary. I do not think that any body can be so blind as not to perceive and understand the real character of this bill. It is a territorial bill, but under a different name : nothing more nor less than that. constitutional right to go into a territory comprising six hundred thousand square miles and a foreign population of forty thousand souls, with no civil organization whatever, and organize a State Government. The admission of a State into the Union supposes the existence of a political organiza had, what sort of people these Mexicans are; and, by the union supposes the existence of a political organization; way, what I have heard in relation to the person who figures but here there is none. This is a territorial bill, and in that

> the consideration of this subject, and the exciting q ready to meet that question now—a question which the country expects us to meet, and which cannot be dodged either one way or the other. I shall, therefore, vote for the reference to the Committee on Territories.
>
> Mr. YULEE. Mr. President, I move as an amendment to

the motion before the Senate to strike out the word " Territo and insert the word "Judiciary."

mind ; let it go as it is. SEVERAL SENATORS. Yes, yes; let it remain as it is

Mr. YULEE withdrew his amendment.

The question was then taken on the motion to refer the bill

The question was then taken on the motion to refer the bill to the Committee on Territories, and resulted as follows: YEAS—Messrs. Allen, Atherton, Baldwin, Bradbury, Breese, Bright, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dickinson, Dix, Dodge, Douglas, Felch, Fitzgerald, Hale, Hamlin, Miller, Niles, Sturgeon, Upham, and Walker—24.

NAYS—Messrs. Atchison, Badger, Bell, Benton, Berrien, Borland, Butler, Calhoun, Davis, of Mississippi, Downs, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisians, Johnson, of Georgia, King, Metcalfe, Pearce, Rusk, Turney, Underwood, Westcott, and Yulee—25.

So the mession was not aggreed to

So the motion was not agreed to.

On motion of Mr. BERRIEN, the bill was then referred the Committee on the Judiciary.

BRANCH MINTS

Mr. WESTCOTT remarked to the Senate that, at the last session of Congress, a bill for the establishment of branch mints of the United States at New York and Charleston. South Carolina, was lost in the Senate by a small majority.

Being one of that majority he moved a reconsideration of the

vote; which motion for reconsideration had never been acted
upon by the Senate. He desired now to give notice that he would, upon the first favorable opportunity, move that the Senate proceed to the consideration of that motion.

RESOLUTIONS ADOPTED. Mr. DOWNS submitted the following resolution, which cas considered by unanimous consent and agreed to:

Resolved, That the Committee on Finance be instructed to

recover, I not the committee on Finance be instructed to inquire into the expediency of establishing a mint in the gold region of California, to coin the gold offered by American citizens at such rate as would pay the expenses thereof, and remunerate the Government for the use or digging on the mineral lands belonging to the United States until the same shall

Mr. ATHERTON submitted the following resolution, which was considered and agreed to:

Resolved, That so much of the message of the President of
the United States as relates to a tariff of duties on imports, to the
collection, custody, and disbursement of the public moneys, to
the establishment of a branch mint in California, and the re-

Mr. BREESE submitted the following resolution, which

was considered and agreed to:

Resolved, That so much of the President's message as relates to the graduation and reduction of the price of the pullic lands, and granting pre-emption rights thereon, and a other matters pertaining to the subject of the public land contained in the said message, be referred to the Committee on the Public Lands.

RAILROAD ACROSS THE ISTHMUS OF PANAMA Mr. BENTON moved that the Senate proceed to the consideration of the special order, being the bill to make com-pensation for the transportation of troops and supplies, for a limited time, over the isthmus of Panama; which motion

was agreed to. BENTON then said : Mr. President, the object of